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Dated: August 5, 2005

Signature:

(George K. Ng)

Docket No.: LOREAL 3.0-058
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Philippe Briand

Application No.: 10/645,771

Group Art Unit: 3754

Filed: August 21, 2003

Examiner: J. A. Kaufman

For: DISPENSER DEVICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF INFORMATION UNDER CFR § 1.97(D)

Dear Sir:

It is respectfully requested that the accompanying Information Disclosure Statement, filed after issuance of a final rejection, be considered pursuant to 37 C.F.R. § 1.97(d). Please charge deposit account No. 12-1095 in the amount of \$180.00 pursuant to 37 C.F.R. § 1.17(p). The present submission is accompanied by a certification as required by 37 C.F.R. § 1.97(e). In the event that any additional fee is due in connection with the present petition, the same should be charged to our Deposit Account No. 12-1095.

Dated: August 5, 2005

Respectfully submitted,

By George K. Ng
George K. Ng

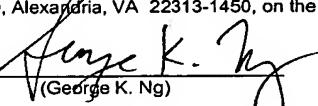
Registration No.: 54,334
LERNER, DAVID, LITTBENBERG,
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600 South Avenue West
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(908) 654-5000
Attorney for Applicant

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AUG 08 2005
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**INFORMATION DISCLOSURE STATEMENT
AND
CERTIFICATION PURSUANT TO 37 C.F.R. § 1.97(e) (1)**

Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. A copy of each reference is enclosed. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

Pursuant to 37 C.F.R. § 1.97(e) (1), undersigned counsel hereby certifies that each item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application to the above-referenced patent application not more than three months prior to the filing of said statement.

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08/10/2005 WARDERI1 000000139 121095
01 FC:1806 180.00 MA

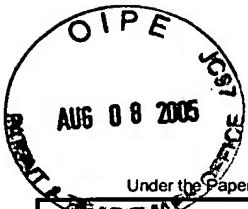
Specifically, CN 1318026 was cited in an Office Action dated June 17, 2005 during prosecution of Chinese Patent Application No. 03154647.1, which is a foreign counterpart application to the present application. A copy each of the Office Action and its English translation is enclosed. A copy of U.S. Patent 6,334,556, a counterpart patent to CN 1318026, is also enclosed.

Please charge our Deposit Account No. 12-1095 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-1095, under Order No. LOREAL 3.0-058.

Dated: August 5, 2005

Respectfully submitted,

By George K. Ng
George K. Ng
Registration No.: 54,934
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
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Attorney for Applicant



PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

1

Complete If Known

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|------------------------|-----------------|
| Application Number | 10/645,771 |
| Filing Date | August 21, 2003 |
| First Named Inventor | Philippe Briand |
| Art Unit | 3754 |
| Examiner Name | J. A. Kaufman |
| Attorney Docket Number | LOREAL 3.0-058 |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (if known) | | | |
| AA* | US-6,334,556-B1 | 01-01-2002 | Bougamont et al. | | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|---|--------------------------------|--|---|----------------|
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| BA | CN 1318026A | | 10-17-2001 | | | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS

| | | | |
|-------------------|-----------------------|---|----------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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| Examiner Signature | Date Considered |
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